

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:
Noboru SAKAGUCHI et al.

Application No.: 10/581,287

Confirmation No.: 3172

Filed: February 6, 2007

Art Unit: 1655

For: COMPOSITION FOR INHIBITING
THROMBOSIS

Examiner: S. C. Hoffman

REQUEST FOR REFUND

MS 16

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I. **REFUND REQUEST**

This is a request for a refund with respect to the charge to Deposit Account No. 02-2448 shown on the statement for the month of January 2010 for the above-identified

- ☒ application ☐ patent
☒ A copy of monthly statements is enclosed.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input type="checkbox"/> filing fee	
<input type="checkbox"/> search fee	
<input type="checkbox"/> examination fee	
<input type="checkbox"/> surcharge for filing the basic filing fee or oath/declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	
<input type="checkbox"/> second month	
<input type="checkbox"/> third month	
<input type="checkbox"/> fourth month	
<input type="checkbox"/> fifth month	
<input checked="" type="checkbox"/> excess dependent claims	156.00
<input type="checkbox"/> issue fee	
<input type="checkbox"/> petition fee	
<input type="checkbox"/> patent maintenance fee	
<input type="checkbox"/> first maintenance fee	
<input type="checkbox"/> second maintenance fee	
<input type="checkbox"/> third maintenance fee	
<input type="checkbox"/> patent maintenance fee surcharge	
<input checked="" type="checkbox"/> Other	
<input checked="" type="checkbox"/> excess independent claims	440.00
<input type="checkbox"/>	
<input type="checkbox"/>	
TOTAL REFUND REQUESTED	\$596.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

Applicants have previously paid the excess claim fees for both dependent and independent excess claims.

IV. REFUND OF 50% OF FEES

- ☐ enclosing a copy of the written Assertion of Small Entity Status
- ☐ filed herewith
- ☐ filed on

V. MANNER OF REFUND

It is respectfully requested that the excess fee of \$596.00 be credited to Deposit Account No. 02-2448.

VI. REMARKS

Claims 1-4, 17-19, and 21-36 are currently pending in the above application. The total claim count is currently 23 dependent claims and 5 independent claims.

On June 1, 2006, Applicants paid \$2,600.00 for 13 additional independent claims. On December 29, 2006, Applicants paid \$960.00 for 12 additional dependent claims. (See the attached payment vouchers as evidence of payment) Thus, the total count for which claims were previously paid is 32 dependent claims and 16 independent claims.

As customary during patent prosecution, some claims have been cancelled, and new claims have been added. Applicants' Amendment filed December 9, 2009, amended the claim count to the current total of 23 dependent claims and 5 independent claims.

On January 22, 2010, the USPTO improperly charged our deposit account for 3 extra dependent claims and 2 extra independent claims. (See attached copy of deposit account statement) Considering that the current claim count is well below the 32 dependent claims and 16 independent claims previously paid for, Applicants submit that the January 22, 2010, charges were in error and respectfully request that the monies be credited back to the deposit account from which they were charged.

In light of the prosecution history and evidence attached herewith, favorable action on the present Request is respectfully requested.

Dated: **AUG 27 2010**

Respectfully submitted,

By 

Craig A. McRobbie

Registration No.: 42874

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

Falls Church, VA 22040-0747

703-205-8000

Attachments: Payment Voucher dated June 1, 2006
Payment Voucher dated December 29, 2006
Deposit Account Statement dated January 2010

Voucher Inquiry

Main Voucher Information

Defaults

Voucher ID:	169687	Batch ID:	SMT
Transaction Date:	06/01/2006	Document Type:	INVOICE
Vendor ID:	PT03	Currency Code:	00 U.S. DOLLARS
Address ID:	1 COMMISSIONER OF PATENTS		PATENT AND TRADEMARK OFFICE
Invoice Number:	060106SMT05		P.O. BOX 70541
Invoice Date:	06/01/2006		CHICAGO, IL 60673
Voucher Amount:	3,880.00	Check Number:	90473457
		Check Date:	06/01/2006
		Bank ID:	PT0
		Payment Selection:	

Unfinalized Vouchers

Type	Account	Description
1 PR	2200 00	COMMISSIONER OF PATENTS & TDMK

GL Distributed: 3,880.00 Remaining: 0.00

Cost Period: 0606 Cost Batch: 229095

Matter Number	Cost Code	Amount
5 1422-0719PLUS1	PAS	250.00
6 1422-0719PLUS1	PAC	2,600.00

Costs Required: 3,880.00 Costs Distributed: 3,880.00 Remaining: 0.00

Voucher Inquiry

Main Voucher Information

Defaults

Voucher ID: 183708 Batch ID: KJ
 Transaction Date: 12/29/2006 Document Type:
 Vendor ID: PT04 Currency Code: 00 U.S. DOLLARS
 Address ID: 1 COMMISSIONER OF PATENTS PATENT AND TRADEMARK OFFICE
 Invoice Number: 12/29/2006KJ01 P.O. BOX 70541
 Invoice Date: 12/29/2006 CHICAGO, IL 60673
 Voucher Amount: 960.00 Check Number: 9050146
 Check Date: 12/29/2006
 Bank ID: PTO
 Payment Selection:

Unfinalized Vouchers

Type	Account	Description
1 PR	2200 00	COMMISSIONER OF PATENTS & TDMK

GL Distributed:	960.00	Remaining:	0.00
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Cost Period:	1206	Cost Batch:	280048
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Matter Number	Cost Code	Amount
1 1422-0719PUS1	PAC	960.00
2		

Costs Required:	960.00	Costs Distributed:	960.00	Remaining:	0.00
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**United States
Patent and
Trademark Office**

Name: BIRCH STEWART
KOLASCH & BIRCH

Attention:

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Telephone: 703-205-8090

Fax:

Balance Amount:

**BIRCH, STEWART, KOLASCH & BIRCH, LLP
Jan 2010 Deposit Account Reconciliation**

Date	Reference No.	Docket Number	PTO Fee Code	BSKB Cost Code	Fee
22-Jan	10581287	1422-0719PUS1	1202	DAC	\$156.00
22-Jan	10581287	1422-0719PUS1	1201	DAC	\$440.00